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CHANGES IN LEGISLATION IN GENERAL ASSISTANCE,
OTHERS' ALLOWANCES AND LIVING ACCOMMODATION FOR THE
ELDERLY IN CANADA, 1964 AND 1965

MEMORANDUM, NO. 21
GENERAL SERIES,



RESEARCH (AND STATISTICS) DIVISION
DEPARTMENT OF NATIONAL HEALTH AND WELFARE,
(OTTAWA) (NOVEMBER, 1966)



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CHANGES IN LEGISLATION IN GENERAL ASSISTANCE,
MOTHERS' ALLOWANCES AND LIVING ACCOMMODATION FOR THE
ELDERLY IN CANADA, 1964 AND 1965

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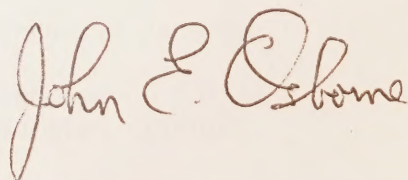
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FOREWORD

This bulletin, consisting of two articles prepared for the Labour Gazette, covers major changes in legislation in general assistance, mothers' allowances, and living accommodation for the elderly during the years 1964 and 1965.

The section on living accommodation for elderly persons, 1964 was prepared by Miss Blanche Borkovic, the remainder by Miss Ruth Brown of the Welfare Research Division of the Research and Statistics Directorate.

A handwritten signature in dark ink, reading "John E. Osborne". The signature is written in a cursive style with a large, looped initial "J".

John E. Osborne, Director,
Research and Statistics.

1. CHANGES IN LEGISLATION IN GENERAL ASSISTANCE,
MOTHERS' ALLOWANCES, AND LIVING ACCOMMODATION
FOR THE ELDERLY IN CANADA, 1965

GENERAL ASSISTANCE

During 1965 five provinces amended their legislation governing assistance programs. In these provinces rates of allowances for some or all categories of recipients were increased, and in Ontario and Saskatchewan major administrative and other changes were made.

NEWFOUNDLAND

Amendments to two statutes and to the Social Assistance Regulations were made during the year. Under The Social Assistance (Amendment) Act, 1965 (S.N. 1965, No. 3), the number of members of the Social Assistance Board were increased to not less than five or more than seven; formerly the number was set at between three and five. The number of members of the Old Age Assistance Board were similarly increased by The Old Age Assistance (Amendments) Act, 1965 (S.N. 1965, No. 4).

Under The Social Assistance (Consolidated) (Amendments) Regulations, 1965, gazetted October 26, 1965, the boarding allowance for a person who is ambulatory was raised from \$80 to \$90 a month effective April 1, 1965.

ONTARIO

A number of major changes occurred in welfare programs during the year. Under The General Welfare Assistance Act regulations were gazetted relating to nursing homes, to allowances for dependent fathers, to rates of assistance and residence, and to Indian bands. The latter regulation (O. Reg. 308/65) added one Indian band to the list of those previously approved for purposes of administering assistance under the Act, thus bringing the number of such Indian bands to 38. Provincial sharing in costs of social services was authorized under The Department of Public Welfare Amendment Act and regulations. Extensive changes were made in regulations under The Homemaker and Nurses Services Act.

Nursing Homes

Ontario Regulation 338/64 gazetted January 9, 1965 revoked that section of the regulations under The General Welfare Assistance Act governing nursing home care and substituted a revised and expanded section. The former section defined a nursing home as one operated as a business caring for three or more residents unrelated to the proprietor and licensed by the municipality in which it was situated under municipal by-laws, or as one caring for not more than two residents unrelated to the proprietor and

approved by the Director of the General Welfare Assistance Branch of the Department of Public Welfare. The Province reimbursed the municipality to the extent of 80 per cent of the amount of aid granted up to \$80 a month for the cost of maintenance of a person who was certified by a physician as being in need of nursing home care and for whom a municipal welfare administrator had granted an allowance.

The revised regulation defines a nursing home as one which is operated as a business and cares for three or more residents unrelated to the proprietor, and distinguishes two types of care: "sheltered care" and "nursing services". "Sheltered care" is defined as board and lodging and personal care provided under the supervision of a registered nurse or a registered nursing assistant. Such care includes assistance to residents with meals, dressing, and other personal needs, and the "planning and executing of services designed for the general health and well being of residents". "Nursing services" is defined as "nursing services provided to residents by or under the supervision of a registered nurse, and includes the planning and executing of nursing care in accordance with the orders, instructions and prescriptions of a physician".

If contributions are to be made by the Province toward the cost of maintaining needy residents, certain minimum requirements must be included in a municipal by-law applying to nursing homes. These include inspection every three months (the former requirement was "periodic" inspection) by an officer authorized to inspect buildings under The Fire Marshals Act and by the local medical officer of health. Other requirements to be included in the by-law relate to the maintenance of records in the nursing home, the elimination of fire and health hazards, bed accommodation and air and floor space per resident, dietary standards, and staff requirements. Nursing homes providing nursing services are required to meet additional requirements. In those having 50 beds or more a registered nurse be on duty at all times; in those having less than 50 beds either a registered nurse or a registered nursing assistant must be on duty at all times. If services are provided by a registered nursing assistant, arrangements must be made to have a registered nurse on duty for not less than eight hours each week to act in a supervisory capacity and to review and assess the nursing care of each resident at least once each week. Each resident must be admitted on the recommendation of a physician and while a resident, must be under the continuing care and supervision of a physician. A physician must be available at all times.

The Province will reimburse a municipality for 80 per cent up to a specified maximum of the cost of maintaining a needy person in a licensed nursing home. This maximum is set at \$115 a month for sheltered care and at \$140 a month for nursing services. No payment will be made to a municipality unless the Director of the General Welfare Assistance Branch is satisfied that the nursing home is complying with the standards set by the municipal by-law under which it is licensed.

Dependent Fathers

Regulations under The General Welfare Assistance Act governing provincial allowances to dependent fathers were gazetted March 20, April 3, and May 8, 1965, respectively.

Ontario Regulation 63/65 gazetted March 20, 1965 made substantial changes in the administration and rates of allowances. The responsibility for determining eligibility, rates of allowances and related matters has been transferred from the regional administrator to the Director of Welfare Allowances. This corresponds to the changes made in the Mothers' Allowances Act in 1964.

In calculating income for purposes of determining need, gross income from wages or salaries is reduced by an amount set out in a table of exemptions which is graduated according to the number of dependent children and whether one or both parents are in the home. The amount of monthly exemption for one child with a dependent father is \$36, and with a dependent father and mother, \$48; the amount for 6 children with a dependent father is \$96. The latter amount is increased by \$12 for each additional child. If wages or salaries exceed the monthly exemptions an additional amount of 25 per cent of the excess is deducted. It is now provided that if a child boarder is the child of the applicant or recipient, no amount shall be calculated as income from board unless he is earning more than \$80 a month, then the excess up to a maximum of \$22 is included as income from board available to the applicant.

The rent allowance has been raised from \$67.50 a month to \$76.50 for unheated premises, and from \$75 to \$85 a month for heated premises. The amount permitted for mortgage payments, taxes and maintenance on a house has been raised accordingly from \$67.50 to \$76.50. The monthly fuel allowance was increased from \$24 to \$29 and subsequently to \$32 by O. Reg. 74/65 gazetted April 3. Also, the restriction that the 20 per cent increase in the fuel allowance be permitted under certain circumstances, only if the fuel allowances did not exceed the maximum, was removed.

Increases have been made in the amounts of the pre-added budget (i.e. the amount set to cover the cost of food, clothing and sundries) for families with children of varying ages. These rates correspond to those under the Mothers' Allowances program but allowance is made under these regulations for two parents in the home. The rates for pre-added budgets for dependent fathers are somewhat higher than those under the general program, for example, the respective monthly rates for one parent with two children under three years of age are \$81.15 and \$64.15. The maximum monthly rate, however, of \$300 which may be paid to a dependent father corresponds to the maximum specified under the general program and under the Mothers' Allowances program.

A dependent father is not eligible for an allowance if his wife is employed in remunerative employment for more than 120 hours in any one month. The former provision ruled out eligibility of an applicant for an allowance if his wife were regularly employed for more than 24 hours each week or, if not regularly employed, was employed more than 24 hours a week for a period of more than 8 consecutive weeks.

O. Reg. 97/65, gazetted May 8, 1965, extended the entitlement to dental services to all members of the family included in the allowances by removing the restriction that such services be available only to beneficiaries under eighteen years of age.

Rates of Assistance

O. Reg. 106/65, gazetted May 15, 1965, excluded Youth Allowances from the calculation of income, and made substantial increases in maximum rates of allowances which the Province will share with the municipalities or which are payable by the Province under the general program to persons in unorganized territory.

The amount authorized for pre-added budgets (i.e. the amount covering food, clothing and sundries) for all classes of persons has been increased. The monthly amount for a single person, unattached, has been increased from \$29.85 to \$31.75, that for the head of a family with one dependent adult, from \$53.80 to \$57.90. The amounts for families with children have also been increased: for example, the rate for a family of two adults and one child under three years of age has been raised from \$61.10 to \$71.30, and for a family of two adults and two children 4-9 years of age, from \$84.10 to \$96.30. Increased amounts are added for children between the ages of 13 and 15; an amount of \$3 monthly is authorized for a girl in this age group, and the former allowance of \$2.25 for a boy 10-15 years has been replaced by an amount of \$5 for a boy 13-15 years. The amounts authorized for adults in excess of three and for each child in excess of six have also been increased. Increases in the pre-added budget are permitted, as formerly, for certain types of special diets.

Shelter allowances have been increased: the monthly amount for a single person for unfurnished or unheated premises has been increased from \$33 to \$41 and for furnished and heated premises from \$35 to \$43; the amount for heads of families renting heated premises has been increased from \$75 to \$85, and the amount for unheated premises from \$65 to \$76.50.

The maximum monthly allowance for which any family, regardless of size, may qualify, has been raised from \$180 to \$300. The former ceilings set according to the number of beneficiaries in the family have been eliminated.

The allowable monthly income, including the allowance, for a single person receiving an incapacitation allowance, has been raised from \$70 to \$105, and the amount which the Province will pay to the municipality has accordingly been increased from a maximum of \$48 to \$76 a month.

Residence

The method of calculating residence in a municipality or territory has been amended. It is now provided that a person acquires residence in the municipality or territory in which he last resided for 12 consecutive months without receiving assistance. This 12-month period must, however, be within the 36 months immediately preceding his application for assistance. As formerly, supplementary aid is not considered assistance for purposes of calculating residence.

An alternative qualifying provision has been added to apply to those who have received assistance in the 36 months preceding the application for aid: residence is established in that municipality or territory in which

the applicant last resided for a period of 24 consecutive months in the 36 months immediately preceding the date of application for assistance, including any period he was receiving assistance. (Residence was formerly determined by the municipality or territory in which the applicant had last resided for a period of 12 consecutive months since April 1, of a specified year, while not in receipt of assistance.) Where residence cannot be determined under either of these provisions, it is considered to be in the municipality or territory in which the applicant was present on the day that immediately precedes his application by 36 months. The former provision specified the municipality or territory in which he was present on April 1, 1961.

Welfare Services

The Department of Public Welfare Amendment Act, 1965 (S.O. 1965, c.30), authorizes the Lieutenant-Governor in Council to make regulations providing for the payment to counties and district welfare administration boards of subsidies for the cost of welfare services. The Act was proclaimed in force November 1, 1965.

Regulations under the Act (O. Reg. 270/65), gazetted November 13, 1965, apply to a county where the council has appointed a welfare administrator and other necessary staff to administer welfare services in all the local municipalities that are within the county for municipal purposes, and to a district welfare administration board established and in operation for at least one year under The District Welfare Administration Boards Act, 1962-63.

The costs of administration of social services in which the Province will share 50 per cent consist of the salaries paid to a welfare administrator and other members of the staff employed full time in the administration of welfare services and those travelling expenses directly related to the administration of welfare services.

"Welfare services" include any class of assistance administered under The General Welfare Assistance Act; services of a homemaker or nurse under The Homemakers and Nurses Services Act; the expenditures for hospitalization of indigent persons; expenditures for payment for maintenance of children in temporary care under The Child Welfare Act; service for such purposes as the following: rehabilitation, including vocational assessment and counselling; placement in employment; counselling in respect of family or marital relationships, child care and training, debts, household management, nutrition, health and personal hygiene; and such other services as may be approved by the Minister of Public Welfare.

All staff administering welfare services must have the qualifications required by the Minister, and their salaries or salary ranges are subject to approval by the Minister. The county or board is required to classify all members of its staff administering welfare services in accordance with classifications which may be specified by the Minister, to maintain full records of expenditures and refunds and to permit access to records and files at all reasonable times.

An application for reimbursement is to be made monthly to the Minister and is to be submitted not later than the 20th day of the month following that to which it relates.

Homemaker and Nurses Services

Regulations under The Homemaker and Nurses Services Act (O. Reg. 72/65), gazetted March 27, 1965, added a definition of "unmarried person", revised the section on allowable income accordingly, added an expanded section on the calculation of income, increased the amount by which the Province will reimburse the municipality, and revised the residence requirements.

An "unmarried person" is defined as a widow or widower, a divorced person and a married person who is living separate and apart from his spouse. The amount of liquid assets which a person in this category may have if the Province is to contribute to the cost of service given to him must not exceed \$500 or, if he has one dependent, \$1,000, plus \$200 for each additional dependent. A dependent for purposes of calculating income, is a child under 18 years living with the applicant or recipient and wholly dependent upon him. He must be attending school, if of school age, unless he is mentally or physically handicapped.

"Income" is defined as the aggregate income from all sources with certain specified exclusions, including real property used as the residence of the applicant and from which no revenue is derived by the applicant or his spouse.

The maximum amount for which the Province will reimburse the municipality for homemaker services and nurses services has been increased: for homemaker services, from \$4 to \$6 a day, or if furnished by the hour, from 50 cents to 75 cents, and for services of a nurse from \$1.25 to \$2.25 a visit.

The residence requirements, revised by O. Reg. 72/65 were further revised by O. Reg. 309/65, gazetted December 4, 1965, to correspond to the changes made in residence requirements under The General Welfare Assistance Act outlined above.

MANITOBA

Manitoba Regulations 12/65 and 20/65 under the Social Allowances Act, gazetted March 6 and March 27, 1965 respectively, amended the former regulations relating to transfer of property and rates of assistance.

Regulation 12/65 added a provision to enable the Director of Public Welfare to regard as the property of an applicant or his spouse, property which either had assigned or transferred for an inadequate consideration. For purposes of computing the income of the applicant the Director in such instances may include an amount that might have been expected to have been realized from the property or from investments of equivalent value. This regulation applies to property assigned or transferred within five years immediately preceding the date of application or after the date on which the application was made.

Regulation 20/65, which came into force April 1, 1965, increased the allowances for utilities and for fuel. The rate for utilities was raised

from \$7 to \$7.50 a month. The fuel allowance authorized from October to May inclusive, was raised from \$15 a month to \$15.75 for a single person living alone in unheated rooms or in a house, and for a family in unheated rooms. The amount for a family living in an unheated house was raised from \$19 to \$20.

SASKATCHEWAN

Regulations applicable to social aid and supplemental allowances under the Social Aid Act, were gazetted August 6, 1965.

Social Aid

Regulation 227/65 (O.C. 1222/65) governing social aid amended provisions relating to the intent of the Act, the reasons for cancellation of the allowance, the food and shelter allowances for those in special-care homes, the calculation of income and assets, and the administration of the social aid program.

Under former regulations the intent of the Act was stated as being to grant aid "to persons in need who are unemployed or unemployable and not to subsidize the income of employed persons". It is now provided it is also not the intention to subsidize the incomes of self-employed persons. As formerly discretion may be exercised by the Director of Public Assistance if extreme hardship would otherwise result from this provision. It is now required, however, that if an official refuses aid to an employed person who has applied for assistance on the basis of extreme hardship, he must inform the applicant of his right to have his application reviewed by the regional administrator of the Department of Welfare, and of his right to a final review by the Director of Public Assistance.

The provision that aid may be cancelled when a recipient becomes fully employed for forty-four hours weekly or the normal number of hours a week for his employment has been altered to read "thirty-six hours a week or more".

Formerly food and shelter allowances, including a comforts allowance for persons in licensed nursing homes, were granted to cover the amount charged. Monthly rates for persons receiving care in public and private special-care homes are now specified: for persons requiring supervisory and limited personal care the rate is \$165 and for persons requiring extensive personal or nursing care it is \$235; in each instance an additional allowance of \$10 a month may be given for comforts.

Changes have been made in the sections dealing with the calculation of income and assets. The amount of exemptions permitted from benevolent organizations or other agencies remains as formerly, but the source of funds which may be exempt has been broadened to include income from "individuals, benevolent organizations and other agencies". Maintenance monies held in trust for children and considered as income released on a monthly basis were formerly required not to be unreasonably low in relation to the budget requirements of the child involved; it is now required that the amount of the trust

be also taken into consideration. In computing the net profit from property used as a basis of a recipient's business or farming operations, deductions may not be allowed for depreciation, as formerly.

Changes in the administration of the social aid program include provisions affecting the procedures governing municipal claims for reimbursement. Municipalities must now submit claims for reimbursement to the central office of the Department not later than 30 days after aid is issued; formerly claims were submitted within 60 days to the nearest provincial regional office. The time within which the Department is required to reimburse the municipalities has been reduced from 45 to 30 days from the date of receipt of the claim. Municipalities are now authorized to take every action possible to facilitate prosecutions if there is reason to believe that an offence contrary to the Social Aid Act and Regulations has been committed.

A new section authorizes the Department, "upon such conditions as the Minister deems advisable" to share with any municipality the costs of administering social aid.

Supplemental Allowances

Saskatchewan Regulations 221/65 (O.C. 1253/65), gazetted August 6, 1965, amended former regulations governing supplemental allowances (i.e. provincial supplemental allowances to recipients of old age security and of allowances for the blind). A number of changes were made to correspond to those made in the Social Aid Regulations in 1964 (outlined in Part 2 below) and in 1965 (outlined above). The former included sections relating to income from roomers and boarders and from the rental of suites, maintenance payments from monies held in trust for children, the calculation of liquid assets, and disposal of assets.

A minimum interim allowance may now be granted pending the determination of eligibility if eligibility for the allowance cannot be determined immediately and need is urgent.

A revised section restricts payment of an allowance on a means test basis. Those unable to qualify for an allowance on a needs test basis but who are in receipt of an allowance under the means test program and are able to meet the test of means set out in regulations under O.C. 1733/63, may continue to receive the allowance at their present rate. A person who satisfies the means test but no longer qualifies for the former rate, may continue to receive the allowance at the rate of \$2.50 a month. However, no person who qualifies under the former sections or is unable to continue to qualify under the means test requirements, may be reinstated as a recipient of the means test allowance.

ALBERTA

Regulations under Part III of the Public Welfare Act were amended by Alberta Regulation 128/65, gazetted March 31, 1965, to be effective April 1, 1965. Food and clothing rates for recipients of provincial allowances were revised and with few exceptions the monthly rates for both children and adults were increased in amounts varying from ten cents to \$1.10.

MOTHERS' ALLOWANCES

Two provinces, Ontario and Saskatchewan, amended their regulations governing aid to needy mothers with dependent children. In Alberta and Manitoba the changes in regulations affecting recipients of provincial allowances outlined above apply also to needy mothers with dependent children.

SASKATCHEWAN

A number of changes in The Aid to Dependent Family Regulations were made by Saskatchewan Regulation 226/65 gazetted August 6, 1965. These regulations include provisions similar to those of the Social Aid Regulations and also provide that if eligibility for aid cannot be determined immediately and need is urgent, minimum interim aid may be granted pending the determination of eligibility.

Other changes, which correspond to those made in the Social Aid Regulations in 1964 (outlined in Part 2 below) and in 1965 (outlined above), relate to rates for public or private special-care homes; the calculation of income from roomers and boarders; income from individuals, benevolent organizations, and other agencies; maintenance payments for monies held in trust for children; and liquid assets, real assets and personal assets.

ONTARIO

Regulations under The Mothers' Allowances Act were amended by regulations gazetted April 3 and May 8, 1965 respectively. O. Reg. 62/65 gazetted March 20, 1965 revised the rates of allowances and the calculation of income, and revised administrative procedures to conform with changes in The Mothers' Allowances Act, 1964, which transferred those functions formerly the responsibility of the regional welfare administrator to the Director of the Welfare Allowances Branch of the Department of Public Welfare.

As under the dependent fathers program, the maximum allowance payable per family has been raised from \$180 to \$300 irrespective of the number in the family.

The rates of allowances payable to a foster mother have been raised by \$10 for each child, thus the rate for one child is now \$40, for two children \$75, and for each subsequent child \$25.

Amounts of the pre-added budget have been raised. The monthly amount allocated to the pre-added budget for a mother with one child three years of age, for example, has been raised from \$60.50 to \$63.45 and the amount for a mother with two children of ten years or over has been raised from \$84.50 to \$93.15. Rent allowances have been increased and fuel allowances, which were also increased under O. Reg. 62/65, were further increased by O. Reg. 75/66 gazetted April 3, 1965; the maximum amounts set for these items correspond to those under other programs outlined above. The changes in monthly exemptions in wages or salaries and in the amount of income received from a child boarder where the boarder is the child of the applicant or recipient correspond to those under the dependent fathers program.

Under O. Reg. 98/65 gazetted May 8, 1965, dental services were extended to all recipients; previously these services were restricted to recipients under eighteen years of age.

LIVING ACCOMMODATION FOR THE ELDERLY

Of the six provinces which made major changes in their legislation affecting living accommodation for the elderly, three - Newfoundland, New Brunswick and Nova Scotia - passed new Acts.

NEWFOUNDLAND

The Home for the Aged and Infirm Act, 1965 (S.N. 1965, No. 17), assented to April 15, 1965, repealed Part XVIII (The Home for the Aged and Infirm) of the Health and Public Welfare Act.

The Act provides that the institution for the aged and infirm (a newly built institution to replace the former home for the aged and infirm) be known as "Hoyles Home", and authorizes the Minister of Public Welfare, with the approval of the Lieutenant-Governor in Council, to make regulations "for the conduct and internal economy of the institution and for the admission and discharge of patients and for any charges to be made to or in respect of patients". The purpose of the new home is "to provide a home for" residents; this is a revision of the purpose of the former home which was to provide for their "maintenance and care". Persons eligible for admission include, as formerly, those who are incapable through old age or infirmity of supporting and caring for themselves. In addition, others may be admitted who for "any special reason should, in the opinion of the Minister, be accommodated there". This provision replaces the former provision that the institution care for persons afflicted with incurable diseases of a non-contagious and non-infectious nature and those unable to care for themselves on account of bodily or mental affliction.

The Hoyles Home (Administration) Regulations, 1965, gazetted November 23, 1965, govern application and admission procedures, monthly rates of payment, relatives' responsibility, provisions for maintenance of persons unable to pay the specified rates and discharge procedures. Procedures and policies governing the former home were in the Act rather than in regulations.

Application for admission to the Hoyles Home is to be made through a welfare officer of the Department in writing by the applicant or on his behalf by relatives or other persons liable by law for his care but who are unable to care for him. A medical certificate must accompany the application. These documents, together with a social history completed by the welfare officer, are submitted to the Social Assistance Board, which authorizes the admission of any applicant to the Home. Formerly, the application and supporting documents were sent to the Deputy Minister, who, if they were found to be satisfactory, forwarded them to the Minister. The

social history was formerly completed by the medical practitioner who made the physical examination or by some other person (the latter was not specified in the Act).

The monthly rate for lodging, board, maintenance and care for an ambulatory patient is set at \$120; and for a bedridden patient, at \$180. If a patient is unable to pay the full amount and those by law liable for his support are also unable to pay the full amount, a lesser amount may be approved by the Minister. This amount, however, must include 80 per cent of the patient's income, if any. A single person is considered to be unable to pay the full amount for his maintenance if his liquid assets, as calculated under The Social Assistance (Consolidated) Regulations, 1961, are not over \$500. A married couple is considered unable to pay if their combined liquid assets are not over \$1,000. In either case, if liquid assets are in excess of the specified amount, applicants are considered to be in a position to pay the full amount until the excess is exhausted.

Provision is made for appeal to the Minister from a decision of the Board regarding admission. The Minister may confirm, reverse or vary the Board's decision, and the Board must then act upon the decision as if it had been their own.

As provided under former legislation, the attending physician of the institution is charged with the duty of prescribing and providing any necessary medicine and treatment for any patient. These regulations, however, provide that the attending physician shall have the care of the health of a patient only with the patient's consent.

NOVA SCOTIA

The Boarding Homes Act (S.N.S. 1965, c. 3) assented to March 30, 1965, proclaimed effective January 1, 1966, provides for the licensing of boarding homes providing special care.

A boarding home is defined as "a building, part of a building, group of buildings or other place in which, for a fee, gain or reward, food and lodging together with care or attention are furnished or are available to four or more persons who because of age, infirmity, physical or mental defect, or other disability, require the care or attention". The Act does not apply to the following: a public hospital, mental hospital, tuberculosis hospital, maternity hospital or sanatorium, a municipal home, a jail, prison or reformatory; a maternity home licensed under the Child Welfare Act; a nursing home to which the Nursing Home Act applies; a hotel licensed under the Hotel Regulations Act.

Before issuing a license, the Minister of Public Welfare must be satisfied that the applicant is a "fit and proper person" to operate a boarding home and that the premises conform to standards prescribed by the regulations.

Licenses are issued annually, expiring on December 31 of each year. The Minister may attach terms or conditions to any license and may cancel or suspend a license if the operator of a home or an employee has

violated the provisions of the Act or regulations or has failed to comply with the conditions attached to the license. Unless a license is in force no person may advertise or otherwise represent a place to be a boarding home and the terms "boarding home", "personal care home" or similar terms may not be used.

Inspectors, appointed by the Minister from the public service, may examine the premises, equipment, facilities and records of any boarding home or any place that there is reasonable grounds to suspect is a boarding home. Alterations which would increase or decrease the capacity of a boarding home or which affect adversely the facilities for the care of inmates must first be approved by the Minister.

Penalties are provided for violations of the Act or regulations or for failure to comply with conditions attached to a license. A fine of up to one hundred dollars may be imposed, and in default of payment, imprisonment for not more than fifty days. Each day that the situation remains unrectified constitutes a separate offence for which an additional fine may be imposed.

The Governor in Council is authorized to make regulations respecting licenses, the keeping of a register in a boarding home, staff requirements for boarding homes, records and returns to be kept, sanitary facilities, space requirements and fees to be charged by operators of boarding homes.

Regulations made pursuant to the Act specify standards on the above matters to be observed by boarding homes. The supporting documents which must be furnished with the application include certificates from the Fire Marshal and medical health officer of the municipality, a statement on the number of residents to be accommodated and the fees to be charged, and a list of proposed staff with an outline of their training and experience.

Each home is required to keep a register which includes certain essential data on every person admitted to the home. Returns are made to the Chief Inspector on October 1 and April 1 covering the residents maintained in the home for the preceding six months.

A person capable of providing emergency care must be available to attend residents at all times. In a home for fifteen or more residents, a registered nurse or a practical nurse must be on duty at all times.

ONTARIO

In Ontario regulations under the Homes for Special Care Act, 1964, were amended by O. Reg. 104/65 gazetted May 15, 1965.

Under this regulation the Minister of Health is authorized to pay the cost of medical care or medicine, and clothing, toiletries or other personal necessities for persons in homes for special care who are unable to pay for their maintenance; and to pay the burial expenses of an indigent person who dies in a home for special care.

NEW BRUNSWICK

Under the Senior Citizens Housing Act (S.N.B. 1965, c. 5), assented to April 13, 1965, provincial grants are authorized to assist limited dividend housing corporations in constructing and equipping low rental housing units for senior citizens. The amount of the grant, which may be made only to a limited dividend corporation receiving a loan under the National Housing Act, is the lesser of: \$500 for each dwelling unit or 50 per cent of the capital cost of the project, exclusive of that part of the project financed through a loan under the National Housing Act. Grants are administered by the Minister of Youth and Welfare and are payable out of the Consolidated Revenue Fund. The Lieutenant-Governor in Council is authorized to make regulations prescribing the conditions under which grants may be made and respecting any other matters necessary to carry out the intent and purposes of the Act.

MANITOBA

An amendment to The Elderly and Infirm Persons' Housing Act assented to May 11, 1965 (S.M. 1965, c. 23), revised the basis for assessing the amount which member municipalities contribute toward the costs of a corporation formed for the purpose of providing and managing elderly and infirm persons' housing accommodation. The amendment provides that the amount requisitioned from each municipality toward the total cost is to be determined by the ratio of the rateable assessment of that municipality to the total rateable assessments of all municipalities concerned. The former provision specified that the municipality's share be that proportion which the total of each municipality's equalized assessment and personal property and business assessments bore to the total of these assessments of all municipalities concerned.

SASKATCHEWAN

The Housing and Special-care Homes Act, 1965 (S.S. 1965, c. 64), which came into force May 1, 1965, repealed The Housing Act (R.S.S. 1953, c. 246, with amendments), and incorporated provisions of the former Act with some amendments and added sections. It provides, as formerly, complementary legislation to The National Housing Act (Canada).

Part IV which relates to housing and special-care homes for needy, aged, infirm and blind persons, replaces that Part of the former Act respecting housing for persons in these categories. New sections have been added defining special-care homes, setting out licensing provisions, and respecting the entry of indigents into the Province.

A special-care home is defined as a "nursing home, supervisory-care home, sheltered-care home, or other facility used, whether for profit or not, for the purpose of providing supervisory care, personal care and nursing care, or any of them, for persons who.....by reason of need, age, infirmity or blindness are unable fully to care for themselves".

Provisions for licensing are set out in the Act; these were formerly contained in regulations. The Minister of Welfare is authorized to issue a license to an applicant if he is satisfied that there is a need for a special-care home and that it will serve the public interest. The Minister may revoke or suspend a license if provisions of the Act or regulations are violated or if the licensee or any employee is guilty of "improper or careless conduct" with respect to residents of the home, or if the premises have become unsuitable for use as a special-care home.

Licensed homes must be open at all reasonable times to "visitation and inspection". A person authorized by the Minister may examine any part of the premises and any records, and may make any necessary inquiries about any matter. Any home being operated without a license may be inspected by a person authorized to do so by the Minister, and the person in charge is required to give any information requested.

A new section provides that any person whom the Minister considers to be likely to operate a home without a license may be restrained by action in the Court of Queen's Bench at the instance of the Minister. In any such action the court has power to grant an injunction.

The consent of the Minister is required if the operator of a special-care home wishes to bring or encourage the entry of an indigent person into Saskatchewan.

The Lieutenant-Governor in Council is authorized to make regulations governing licenses, fees for licenses, the kinds of care to be available in special-care homes, standards of care and operation, records to be kept, and charges to be made for care.

Part V - Geriatric Centres - a new Part, authorizes the Minister to supervise, operate and continue to develop provincial geriatric centres already established by the Province, and to establish additional centres as necessary for persons suffering from long-term illness. The Lieutenant-Governor in Council is authorized to make regulations governing these centres. Funds may be appropriated by the Legislature for establishment and operation of these centres.

ALBERTA

Under Alberta Regulation 250/65 gazetted May 31, 1965, rates to be charged residents of homes for the aged were amended to be effective July 1, 1965.

Maximum rates are set at two levels depending upon whether or not the resident of the home has established residence in Alberta. A person with residence in the province may be charged \$65 a month for a bedroom for double occupancy and \$75 for a bedroom for single occupancy. The corresponding rates for a person without residence are \$70 and \$80 respectively. In both instances these rates represent an increase of \$5 a month for double rooms and \$10 for single rooms over the rates which were set in 1960.

The regulations also provide that persons residing in self-contained housekeeping units may be charged up to \$40 a month for a single unit and up to \$50 a month for a double unit.

2. CHANGES IN LEGISLATION IN GENERAL ASSISTANCE,
MOTHERS' ALLOWANCES, AND LIVING ACCOMMODATION
FOR THE ELDERLY IN CANADA, 1964

GENERAL ASSISTANCE

During 1964, eight provinces made changes in their general assistance programs including changes in rates of assistance, permissible income, and eligibility requirements. Legislation passed in previous years was proclaimed in Ontario and Manitoba, and in Alberta legislation was passed which would, on proclamation, authorize the payment of assistance for the blind, disabled and older persons to be made under the social allowances program.

NEWFOUNDLAND

Three amendments to The Social Assistance (Consolidated) Regulations of 1961 were gazetted January 28, February 25 and May 12 respectively.

The amendment of January 28 authorized social assistance in cash for the months of July, August and September for a child who attains his 16th birthday prior to the first day of September and who has been in regular attendance at school during the school year which ends in June of that year.

Amendment No. 2 of February 25, to be effective from April 1, 1964, raised the allowable maximum annual outside income for families receiving social assistance. The maximum for a family consisting of adults only was raised from \$600 to \$720 and for a family consisting of adults and children, from \$800 to \$900. In either case, if the annual income is in excess of the specified maximum the amount of the allowance is reduced by the amount of the excess.

Changes in rates of assistance were made by Amendment No. 3 gazetted May 12, 1964 to have effect from April 1, 1964. The clothing allowance for the first adult in the family has been raised from \$5 to \$10 a month; rates for other members of the family remain at \$5 each. The monthly fuel allowance for each adult or family has been raised from \$10 to \$15, and the rent allowance for each adult or family raised from \$20 to \$25 in rural communities and from \$30 to \$50 in urban communities. Amounts which may be granted toward repairs and renovations of a home have also been raised. The maximum amount which may be granted in any one year has been raised from \$240 to \$300. The aggregate of all such grants in any four-year period may not exceed \$1,000, an increase from the former \$960.

NOVA SCOTIA

An amendment to The Social Assistance Act (Statutes of Nova Scotia, 1964, c. 60), assented to March 4, 1964, affected both Part I and

Part II of the Act.

Under Part I, provincial allowances may now be extended on behalf of any child who is attending school beyond the level of Grade VIII to the age of eighteen or to the end of the school year in which he becomes eighteen. This provision which is effective from April 1, 1964 was formerly restricted to the children of widows or mothers with disabled husbands or to foster children whose parents were dead or permanently disabled.

Under Part II, the section dealing with the effect on residence of a municipal unit moving persons to certain institutions has been amended to indicate that a boarding home is one licensed under The Nursing Homes Act.

An amendment to the regulations under Part I of the Act tabled February 7, 1964, to be effective from November 1, 1963, repealed the clause setting the maximum monthly allowance for a mother who is deserted, whose husband is imprisoned, or who although not married to him, is living as the wife of a man who has died. This change permits the maximum monthly allowance for these categories to be determined on the same basis as for widows and mothers with disabled husbands.

NEW BRUNSWICK

Regulation 64-24 under The Social Assistance Act, gazetted July 8, 1964 repealed the clause under Part II in Regulation 153 which defines "necessaries" as including payments for medical, hospital, nursing, dental and optical care, drugs and dressings, funeral expenses and travelling expenses. (This removes the contradiction implicit in Section 24. Section 24 (1) provides that the municipality's reimbursement claim shall include the cost of food, shelter, fuel, clothing and other necessities. Section 24 (2) provides that payments for medical, hospital, nursing, dental and optical care, drugs and dressings, funeral expenses and travelling expenses shall not be included in the reimbursement claim.)

Regulations 64-28 (O.C. 64-581), and 64-36 (O.C. 64-670), gazetted August 5, 1964 and September 2, 1964 respectively, prescribed the forms to be used by municipalities for purposes of Part II of the Act.

Regulation 64-28 added six new forms (Forms 3 to 8 inclusive) covering order for municipal assistance, application for municipal assistance, and forms summarizing the cost of social assistance, homes for special care, travelling expenses and administrative expenses. Regulation 64-36 substituted a revised Form 4 (Application for Social Assistance) and added Form 9 (Review Record), Form 10 (Municipal Social Assistance Case Record) and Form 11, an authorization for inspection of bank or other accounts. The application form has been simplified and information about dependents, assets, liabilities and income and other details are recorded on Form 10 which is signed by the applicant.

QUEBEC

Under an amendment to regulations (O.C. 637, March 30, 1964), increases in monthly rates for certain categories of recipients became effective April 1, 1964. Maximum monthly allowances for recipients of needy widows and spinsters allowances, old age assistance, blind persons allowances, and disabled persons allowances were increased from \$65 to \$75. The allowable monthly income, including the allowance, for needy widows and spinsters, was increased from \$90 to \$100. The monthly rate for the head of a family with one dependent child was increased from \$75 to \$85 and the allowable income, including the allowance was increased from \$100 to \$110. Casual or part-time earnings of up to \$25 may be excluded from the calculation of income.

ONTARIO

The District Welfare Administration Boards Act, 1962-63, was proclaimed effective May 1, 1964 (Ontario Gazette, May 20, 1964) and regulations were made under this Act and under The General Welfare Assistance Act.

Ontario Regulation 168/64 under The District Welfare Administration Boards Act was gazetted July 11, 1964, prescribing the form to be used in making application for a grant under Section 7 of the Act, and the length of time in which chairmen of the board are to serve. The board, at its first meeting after April 1 in each year, is to appoint one of its members as chairman for the fiscal year. No member may serve more than three consecutive terms.

Regulations under The General Welfare Assistance Act amended regulations governing general provisions, supplementary aid and aid to dependent fathers.

General. O/Reg. 35/64 gazetted February 22, 1964 to be effective April 1, 1964 made a number of changes. Shelter allowances for single persons were raised by \$10 a month for both unfurnished and/or unheated premises and furnished and heated premises.

The differential in rental allowances payable to heads of families between those municipalities of over 100,000 population and other municipalities was eliminated, thus permitting the payment of the higher allowances by all municipalities. The section on residence was revised to change the date of calculation of residence from April 1, 1959 to April 1, 1961, and the section authorizing an allowance for vegetable seeds was revoked.

Supplementary Aid. The section of the regulations governing supplementary aid was amended by O/Reg. 232/64 gazetted September 19, 1964 to exclude provincial sharing in the costs of aid to persons whose means exceed a specified amount. The Province will not share in the cost

of supplementary aid given by a municipality to a person who is a recipient of a government benefit, other than an old age security pension, whose liquid assets exceed \$1,000 if unmarried, or \$1,500 if married. The Province will not share in aid given a recipient of an old age security pension if he is unmarried and his annual income, including the pension, exceeds \$1,260 or his liquid assets exceed \$1,000, or, if he is married, if his annual income and that of his spouse exceeds \$2,220 or their total liquid assets exceed \$1,500.

Dependent Fathers. Under O. Reg. 154/64 gazetted July 4, 1964 changes were made in the regulations governing allowances to dependent fathers to correspond with those under the Mothers' Allowances Act. A new subsection permits an allowance to be extended to the end of the school year on behalf of a child who becomes 18 years of age while attending an educational institution other than a secondary school.

The length of time required to qualify for an allowance after desertion by the wife has been reduced from six to three months. A dependent father whose wife is imprisoned may now qualify for an allowance if, at the date of application, the term remaining to be served is six months or more. Previously no reference was made to the length of term remaining; application could be made if the wife were imprisoned for a continuous period of six months or more.

MANITOBA

Under proclamations published in the Manitoba Gazette of December 28, 1963, an Act to amend The Child Welfare Act, 1959 (Second Session), and clause (b) of subsection (1) of section 5 of The Social Allowances Act were proclaimed effective January 1, 1964. These proclamations repealed Part III of The Child Welfare Act under which allowances were paid on behalf of bereaved and dependent children, and proclaimed that section of The Social Allowances Act authorizing payment of allowances to widows with dependent children. Thus the transfer of mothers' allowances to the social allowances program was completed.

Manitoba Regulation 14/64 gazetted February 29, 1964, effective from March 1, 1964 repealed former regulations under The Social Allowances Act. The revised regulation includes some changes in rates. The monthly food allowance for an adult, formerly \$23 for a single adult or the first adult in a family of two, and \$20 for the second adult in a family of two beneficiaries, is now \$20 for each adult with increases allowed for household units of one, two or three persons: an addition of \$5 a month for a single person, \$3 a month for each of two persons, and \$1 a month for each of three persons. Clothing allowances for children have been increased by \$1 a month for all age groups. It is now provided that, under special circumstances, an additional amount of up to \$7 a month may be granted for utilities, and an additional grant up to \$50 may be made at the end of the winter fuel season.

SASKATCHEWAN

Saskatchewan Regulation 432/64 under The Social Aid Act gazetted July 24, 1964 made a number of changes in Regulation 977/63 dated May 21, 1963.

Section 11 has been revised to add three new conditions under which the amount of assistance given may be less than the total amount specified by the schedules for various items of need for a period not to exceed six months. This section previously provided that lesser amounts could be given to the recipient who wished a lesser amount than that established and to the recipient who requested assistance for a specific item of need or for a specific amount. Lesser amounts may now also be given to a recipient who has unusually high seasonal earnings and who has been advised to budget to meet living expenses, a recipient who, while in receipt of social aid, purchased a home which, in the opinion of the municipal welfare official, exceeds the reasonable needs of the recipient, or a recipient who has voluntarily discontinued gainful employment, except as a part of a rehabilitation plan or on the advice of an official.

It is now provided that certain earnings are to be excluded in determining financial resources. As previously, certain casual and part-time earnings of the family members up to a maximum of 25 per cent of the recipient's basic budget requirements are not included in the calculation of resources. Under these regulations, either this amount, or if larger, wages of \$5 a month for a single person, \$10 a month for a family of two persons, or \$15 a month for three or more persons, may be excluded. An addition to the list of exclusions includes premiums paid by or deducted from wages of the recipient to cover the cost of a Medical and Hospital Card. "Reasonable" costs of transportation to and from work may be excluded from the calculation of income. The percentages of income from roomers and boarders which may be excluded remains unchanged, but it is now provided that a municipality may adopt minimum charges more suitable to the locality than those specified in the regulations. This change is subject to the approval of the municipal council and of the Director of Public Assistance.

A new clause provides that maintenance payments from monies held in trust for children and available for distribution be considered as income. Negotiations must be conducted on an individual basis so that funds are released monthly and the monthly amount is neither in excess of the budget requirements of the child nor unreasonably low in relation to it.

Safeguards relating to the conversion of liquid assets into cash and in the realization of funds on real property are provided. A reasonable period, not to exceed sixty days, is to be allowed to convert certain assets into cash, but conversion shall not be at a discount rate greater than thirty-five per cent of their value. A liquid asset or real property need not be considered a resource if the Director considers that there are sound social or economic reasons for not converting a liquid asset into cash, or for delaying or refraining from using real property as a security for borrowing or outright sale.

A period of 60 days is also allowed for the realization of funds through borrowing on the security of real property or from its sale. The sale of property is not required if the loss is greater than 35 per cent of its appraised market value.

A recipient may sell real property for the purpose of purchasing a home, but the purchase must be made within four months of receiving the proceeds, and the home must be "suitable to his needs and in accordance with the standard of living he can reasonably expect to maintain". Any funds remaining after the purchase are considered to be available for current living expenses. If a recipient purchases a home which, in the opinion of the municipal welfare official, exceeds his needs, the recipient may be required to sell the property and use the proceeds.

A municipal official who reviews the circumstances of a person who qualifies for aid as a result of disposing of his assets within five years of application for aid or because of his failure to realize on an agreement for sale, mortgage, or other security, is to refuse aid to the applicant until he is satisfied that no income can be obtained from the assets, or until the applicant's budget requirements plus 15 per cent is equal to the market value of the asset disposed of.

ALBERTA

The Welfare Statutes Amendment Act (Statutes of Alberta, 1964, c. 106), assented to March 26, 1964, authorizes the Minister of Public Welfare to enter into agreements with the federal government to assist persons under the social allowances program rather than under The Blind Persons Act, The Disabled Persons Act and The Old Age Assistance Act. (Social allowances are payable under Part III of The Public Welfare Act.) It provides for the discontinuance, on proclamation of the relevant sections, of applications under these three programs, but payment of assistance to persons granted aid under any of these programs may be continued in accordance with the Act under which it was granted.

Regulations under Part III of The Public Welfare Act were amended by Alberta Regulation 106/64 gazetted March 14, 1964. Under these regulations, to be effective April 1, 1964, food and clothing rates for adults and children were revised. With few exceptions, slight increases were made in rates. Increases of 15 per cent in the food allowance for a family of two and of 10 per cent for a family of three are now permitted if cooking and refrigeration facilities are inadequate. Amounts of \$7 and \$3 a month for a gluten free diet and a restricted sodium diet respectively have been added to the list of special diets for which allowances may be granted on medical recommendation.

MOTHERS' ALLOWANCES

Changes were made in Quebec and Ontario in the Acts governing allowances to needy mothers with dependent children. In addition, Part III of The Child Welfare Act of Manitoba was repealed, thus effecting a transfer of mothers' allowances to the social allowances program; in Ontario the regulations affecting dependent fathers were amended, and benefits were extended in Nova Scotia on behalf of children attending school (see section on General Assistance above).

QUEBEC

An amendment to The Needy Mothers' Assistance Act (S.Q. 1964, c. 49) to be effective April 1, 1964, raised the maximum monthly rate for a mother and one child from \$75 to \$85.

ONTARIO

An amendment to The Mothers' Allowances Act (S.O. 1964, c. 65) assented to May 8, 1964, broadened eligibility requirements and made administrative changes.

The length of time required for a mother to qualify for an allowance after desertion has been reduced from six months to three months, and an unmarried mother may now qualify for an allowance when her child is three months of age, a reduction from the former six months. A mother whose husband is imprisoned in a penal institution may now qualify for an allowance if at the date of application he has a term remaining of six months or more; the previous requirement was that he be imprisoned for a continuous period of six months or more. An added subsection permits the allowance to be extended to the end of the school year on behalf of a child who becomes eighteen years of age while attending an educational institution other than a secondary school. (There is no upper age limit for a child attending secondary school.)

A number of the functions formerly the responsibility of regional administrators have been assigned to the Director of the Welfare Allowances Branch. The Director now receives all applications for mothers' allowances and determines the eligibility of each applicant and the amount of the allowance. He continues to act, as previously, as chairman of the board of review. Other matters now referred to the Director, include the approval of temporary absences from the province, the granting of permission to a mother to be absent from the province for compassionate or other reasons, the approval of an applicant as a suitable person to receive an allowance, and approval of an applicant as a suitable foster mother to her dependent foster child.

LIVING ACCOMMODATION FOR ELDERLY PERSONS

An Act to amend the National Housing Act 1954 (S.C. 1964, c. 23), assented to on June 18, 1964, contains a number of provisions affecting accommodation for elderly persons.

Under a new section, 16A, loans may be made to non-profit corporations for the construction or purchase of a housing project or housing accommodation of the hostel or dormitory type for use as a low-rental housing project. Terms and conditions for loans under this section are the same as for loans made to limited-dividend corporations under section 16 of the Act. Formerly loans could be made only for hostels forming an adjunct to a project of self-contained accommodation.

Section 36 of the Act which covered federal-provincial public housing programs has been renumbered as section 35A. A new provision under section 35A (1) permits the inclusion of hostel or dormitory type accommodation in federal-provincial projects. As formerly, public housing projects may be made up wholly or in part of existing housing purchased for the purpose, but are no longer restricted to urban renewal areas. Under this section, the amount of the capital costs, profits, and losses to be borne by the Central Mortgage and Housing Corporation is not to exceed 75 per cent, thus permitting the Corporation's share to be less than was possible formerly when the amount was set at 75 per cent for the Corporation and 25 per cent for the provincial government or agency thereof.

A new section, 35C, permits the Corporation to make loans to assist a province, municipality, or public housing agency to acquire land for public housing projects. The maximum loan may amount to 90 per cent of the cost of acquiring and servicing the land.

Section 35D authorizes the Corporation to make loans to provinces, municipalities and public housing agencies to construct, acquire and operate public housing projects. Loans are subject to conditions applying to limited-dividend housing companies and non-profit corporations. Under section 35E the Corporation may contribute to operating losses incurred by subsidized public housing projects. The maximum amount that may be contributed is 50 per cent of the annual losses and contributions may be made for a period not exceeding fifty years. The Corporation is required to ensure that accommodation for which it is sharing operating losses is needed and is being rented to persons of low income.

New or amended legislation governing living accommodation for elderly persons came into effect in seven provinces: New Brunswick, Quebec, Ontario, Manitoba, Saskatchewan, Alberta and British Columbia.

NEW BRUNSWICK

Regulation 64-20 under The Social Services and Education Tax Act, gazetted June 10, 1964, permits the Provincial Secretary-Treasurer to authorize a rebate of the tax paid by a contractor on goods actually used in the construction or alteration of buildings used as places of worship, homes for the aged, alms houses and orphanages, as well as materials used in preparatory operations for the construction of any such building. Rebates are to be made to the governing body of a religious, charitable or benevolent organization at the rate of 1.25 per cent of the total contract price for the construction of a building or for a major improvement constituting a capital investment, and 90 per cent of the tax paid on certain furniture and fixtures purchased by such religious, charitable or benevolent organizations.

QUEBEC

An Act to amend the Act to Improve Housing Conditions was assented to on March 19, 1964 (S.Q. 1964, c. 37), and provided for the

appropriation of \$180 million for the purposes of the Act. Although it does not make specific provisions for living accommodation for elderly persons, they may benefit under the Act which enables the Province to guarantee loans made for purchasing homes and to pay a portion of the interest charged on loans made for new dwellings.

ONTARIO

Legislation passed in Ontario during 1964 included an Act to incorporate the Ontario Housing Corporation (S.O. 1964, c. 76), The Homes for Special Care Act (S.O. 1964, c.39) and Regulation, and Regulations under The Charitable Institutions Act, 1962-63.

An Act to incorporate the Ontario Housing Corporation assented to on May 8, 1964, came into force on August 11, 1964. The Corporation has the power to enter into agreements for the Province under The Housing Development Act, makes loans, grants or advances under the same Act and acquire, hold and dispose of real property.

The Homes for Special Care Act 1964, assented to on May 8, 1964, authorizes the establishment of residential facilities for persons requiring nursing, residential, or sheltered care; the payment of capital and maintenance grants to benevolent organizations operating such homes or institutions; the licensing of homes for special care, and the payment of maintenance costs for residents of such homes. The Lieutenant-Governor in Council may designate provisions of The Mental Hospitals Act 1950 or Regulations as being applicable to any home for special care. He may also approve all or any part of an institution, building or other premises as a home for special care.

Ontario Regulation 261/64 under The Homes for Special Care Act 1964, gazetted October 17, 1964, classifies homes for special care as approved homes, licensed residential, and licensed nursing homes. Part I of the Regulation relates to approved homes and sets out staff qualifications, powers and duties of administrators, fire protection measures, and procedures for the administration of trust accounts and the bonding of administrators.

Licensed nursing homes must meet standards contained in Part II of the Regulation. These relate mainly to fire protection, meals, sleeping accommodation, toilet and bathing facilities, and personal, nursing and medical care. Licensed residential homes are governed by Part III of the Regulation which sets out standards for sleeping accommodation and outlines inspection procedures.

Part IV of the Regulation outlines procedures for the admittance of persons discharged from an institution within the meaning of The Mental Hospitals Act; the keeping of records; the inspection of homes by an officer authorized under The Fire Marshals Act and by a medical officer of health; assistance from charitable organizations with the inspection and supervision of homes for special care; and the granting of provincial aid.

Where a resident in an approved home cannot pay for his care and maintenance, the Minister of Health may grant to the Board of the

home an amount up to a maximum of \$6.50 per day for each day the resident is in the home. When a resident does not require nursing care, the amount payable may not exceed \$21 a week. If a resident is able to pay part of the cost for care, the grant payable is to be reduced by the amount paid. The amount of the grant payable is similar for residents of licensed nursing homes or licensed residential homes but, when a provincial grant is paid, the resident or the person responsible for his care and maintenance is liable to pay at least \$2 per day.

Ontario Regulation 297/64 under The Charitable Institutions Act 1962-63 was gazetted on November 14, 1964. It tightens fire protection measures and is more specific than previous legislation about the duties of attending physicians, the appointment of staff nurses, and the provision of nourishing meals and adequate comfortable sleeping accommodation. Also, under this Regulation, homes for the aged are among the institutions which benefit from the increase in the provincial share for maintenance costs of residents. This has been raised from \$5 to \$6 daily per person where the institution maintains a bed care unit of twenty beds and from \$3.40 to \$4 where there is no such unit.

MANITOBA

The Elderly and Infirm Persons' Housing Act (S.M. 1964, c.17) came into force on April 16, 1964, repealing The Elderly Persons' Housing Act 1959. Briefly, the new Act incorporates the terms of the former Act and, in addition, enables the Province to assist in the establishment of personal care homes and to increase grants for the construction of accommodation for the elderly. It also empowers municipalities to sponsor elderly persons' housing, hostels, and personal care homes. Municipal participation in such projects was formerly authorized under The Municipal Act. Regulations under The Public Health Act applicable to personal care homes were gazetted on August 8, 1964.

As in the former legislation, a "hostel" is defined as a building accommodating three or more elderly persons who share bathroom or bathroom and kitchen facilities, but the new Act specifies that hostel accommodation is intended for persons who require minimal assistance or supervision with activities of daily living. A "personal care home" is defined as a building accommodating persons who, in the opinion of a qualified medical practitioner, require continual or intensive assistance and supervision in their daily living.

A municipal council may pass resolutions favouring the establishment of elderly persons' housing, ratepayers may petition for it or municipalities may enter into joint agreements. An organization committee must establish details of the proposed scheme which must be approved by the municipality or municipalities concerned and the necessary by-law passed. Letters patent of incorporation as a non-profit corporation under The Companies Act must then be obtained.

The board of directors of the corporation is to be appointed by the municipality and the powers of the corporation include the right to borrow or raise money; acquire, administer and dispose of real or personal property; invest funds and employ staff necessary to operate and manage the housing provided.

A provincial grant will not be made for a project unless the municipality, corporation or organization applying for it has obtained money equal to 20 per cent of the total cost (formerly 10 per cent) or, for new construction, the necessary serviced land and 10 per cent (formerly 5 per cent) of the cost.

Grants for constructing, acquiring, reconstructing or equipping elderly persons' housing units are set at the lesser of one-third of the cost, or \$2,150 (formerly \$1,667) per unit for two persons, and \$1,700 (formerly \$1,400) for one-person units.

The amount of a grant made for the construction of hostel accommodation is to be the lesser of one-third of the cost or an amount calculated by multiplying \$1,700 (formerly \$1,200) by the number of beds provided in the hostel. For the purpose of assisting in the renovation, repair or acquisition and reconstruction, furnishing or equipping of a hostel, the grant is to equal one-third of the cost or an amount calculated by multiplying \$825 (formerly \$700) by the number of beds provided.

For the construction of a personal care home the grant is to be the lesser of one-third of construction costs or an amount calculated by multiplying \$2,000 by the number of beds provided. Grants to assist in the renovation, repair, acquisition, furnishing, equipping or reconstruction of a home may amount to the lesser of one-third of the cost, or an amount calculated by multiplying \$1,000 by the number of beds provided.

As previously, the provincial government may guarantee the payment of principal and interest on loans from the federal government or its agencies to corporations or organizations which have received a loan under The Elderly and Infirm Persons' Housing Act. Also, licensing provisions have been extended to cover personal care homes.

Manitoba Regulation 52/64 under The Public Health Act defines personal care homes, outlines conditions under which they may operate and sets out standards they are required to meet.

"Personal care" is defined as the care of aged and infirm persons who, in their daily living, require the care of another person or persons but who do not require the services of a hospital within the meaning of The Hospital Services Insurance Act. A personal care home is a place used for the accommodation of three or more persons who, in the opinion of a medical practitioner, require personal care. Admission is to be governed solely by the need for care and assistance.

Effective August 1, 1964, any personal care home must meet certain specifications set out in the Regulation. These govern the amount of space allotted per resident, and facilities, equipment and furnishings considered necessary by the Minister of Health. It is also required that recreational and social activities be made available for the constructive use of leisure time and to maintain the residents' contact with the community. The operator of a home must have a valid license issued by the Minister.

SASKATCHEWAN

Saskatchewan Regulation 574/64 under The Housing Act (O.C. 1876/64), gazetted December 4, 1964, adds definitions of "care" and "supervisory care" to the regulations.

For the purposes of The Housing Act, "care" includes skilled nursing care, personal services or supervisory care given to needy, aged, infirm or blind persons living in licensed sheltered accommodation where the charge exceeds \$75 per month. This definition applies to boarding and nursing homes, self-contained housing and other forms of sheltered accommodation for four or more persons not related to the operator or any member of the management of such accommodation. Supervisory care is defined as the giving of guidance or the supervision of activities of daily living.

ALBERTA

Alberta Regulation 113/64, gazetted March 31, 1964 deleted from the regulations under The Homes for the Aged Act the subsection providing that persons whose only income is derived from the old age security pension plus the supplementary allowance from the Province shall not be charged maintenance of more than \$60 per month.

BRITISH COLUMBIA

Order in Council No. 663, gazetted March 19, 1964, amended the Welfare Institutions Licensing Regulations to permit the use for sleeping accommodation of a room more than two stories above the ground when the Welfare Institutions Licensing Board give its approval.

